

Comments and objections to the changes made to  
B.O.P. Program Statement 5200.04 CN-1 the B.O.P.'s  
Transgender Offender Manual dated May 11, 2018

My legal and committed name is Peter K. Langan, Reg. number 64023-061, I am also known as Donna Langan. I am a Transgender Woman, I am on female hormones and anti-androgens, and have taken them since 2012. I live and present as a woman, and I live in a woman's prison (FMC-Carswell), I have been there since 3/29/16 .

I am asking that per the Administrative Procedures Act ( 5 U.S.C. § 551 , that my comments and objections be responded to in the preamble to the changes made in PS 5200.04 before that change is made final or acted upon towards transgender inmates.

#### Comments and Objections in general

While I will address my comments to specific changes, I do want to Comment~~ent~~ about the changes in general.

These changes to PS-5200.04 are the result of complaints against transgender inmates, many of them false. The changes are also as a result of the change in the political party of the executive branch of the Government. And are driven by anti-transgender bias and prejudices . The BOP has been involved in one sided and secret negotiations with persons who are against transgender persons in general and as part of their religious beliefs.

No transgender prisoners or Transgender advocacy groups have been allowed to participate in the drafting of these changes. That fact in and of itself should invalidate those changes.

( comments and objections in general continued )

The changes made in many cases are contrary to the P.R.E.A. statutes and regulations. These changes will be used to directly endanger and put at risk of sexual assault transgender prisoners.

These changes will deny transgender prisoners proper and complete treatment by being used to deny them a "real life experience " as required to obtain necessary surgery to complete their gender transition. These changes make it possible to send a transgender woman with a vagina, and/or breasts to a male prison where she will almost certainly be raped and sexually assaulted.

Nothing in the previous program statement prevented the BOP from taking action to prevent or punish bad behavior by any transgender prisoner. The BOP prior to the changes only rarely were transgender women ever transferred to women's prisons.

There has been no recorded sexual assault case ever made against a transgender woman in a woman's prison, that resulted in a conviction in any Court of law in this Country or prison system.

There was no need to remove the word female and replace it " women and **Special POPULATIONS Branch**" It deprives transgender women of their identity as women, and implies that there is something wrong with them. And is very similar to the term used to identify " Sex Offenders" It is insulting, demeaning, and seeks separate them from their gender identity.

The existing program statement while not perfect is and was adequate in dealing with the issues of everyone's safety, security, and good order within the facilities of the Federal Bureau of prisons.

**SPECIFIC COMMENTS AND OBJECTIONS**

I would object to and comment upon the use of the term " biological sex' In section's Five Initial Designations as the basis for the initial determination for designation, and in section seven Housing and programing assignments. Because being transgender is about changing ones sex, the use of " biological sex " as a baseline could result in a person with a vagina and or breasts sent to a male institution. Where they would surely be sexually assaulted. It is also in conflict with the PREA standards which state that a persons genital status in not the sole or over riding determination in assigning transgender inmates to a prison male or female.

The removal of " The TEC will recommend housing by gender identity when appropriate. Is very unsettling and could be used to over ride or ignore the TEC's decisions and recommendations, and place Transgender women at great risk of sexual assault.

Transgender inmates almost to a person have have histories of multiple traumas inflicted upon them, by men, by the prison system and society. There are ways, means, and rules that protect all persons privacy concerns, and mental health histories. To put the onus and responsibility upon transgender prisoners is to punish victims. Existing rules punish persons who violate others privacy. Ther is no need to use privacy issues as an excuse to deny a vulnerable polulation safe housing.

The use of the term " rare " in housing of transgender prisoners in designations or housing them in their identified gender. Is another means and pretext to deny transgender persons safe housing. It is already" rare " to house transgender persons in their identified gender.'

**SPECIFIC COMMENTS AND OBJECTIONS**


The use of the term "Necessary" in regards to medical treatment is very likely to be used to deny, gender reassignment surgery, breast augmentation, breast reduction, electrolysis and other medical treatments common in the treatment of gender identity disorders/gender dysphoria. The BOP already has policies and procedures in place to allocate medical resources and to be able to determine the need for any medical procedure.

**CONCLUSION**

The changes in PS-5200.04 CN-1 are unneeded and all of the objectives that may be advanced in favor of that change can be safely and swiftly met by applying existing BOP policies, rules and regulations. The justification and or reasons these changes are based upon false allegations untried in the Courts. Reaching a settlement or attempting to the writers of the Policy changes have thrown the baby out with the bath water. And appear to be pandering to Anti-transgender bias and prejudices. And may be trying to impose their own personal beliefs upon others to the point of denying them safe housing, medical treatment, and other substantial rights they now or previously enjoyed and exercised as a matter of right and law.

I reserve the right to amend this document.

Respectfully Submitted

 5/21/18

Donna Langan/aka Peter Langan

*This Document was  
sent to the BOP General Counsel  
on 5-22-18*



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